

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA,

Civil Action #:
12-CV-2173(SJ)

Plaintiff,

VERIFIED ANSWER

-against-

**TWO HUNDRED EIGHTY-NINE THOUSAND
EIGHT HUNDRED DOLLARS, MORE OR LESS,
IN U.S. CURRENT (\$289,800.00) SEIZED FROM
LUIS DAMIAN JACAS ON NOVEMBER 17, 2011;**

**TWO THOUSAND EIGHT HUNDRED FIFTY ONE
DOLLARS AND FIFTY ONE CENTS, MORE OR
LESS, IN U.S. CURRENCY (\$2,851.51) SEIZED FROM
LUIS DAMIAN JACAS ON NOVEMBER 17, 2011;**

**TWO HUNDRED EIGHTY EIGHT (288) BOTTLES
OF WINE SEIZED FROM LUIS DAMIAN JACAS
ON NOVEMBER 17, 2011 AT WINE CARE
STORAGE LLC ON NOVEMBER 17, 2011;**

**THEN THOUSAND DOLLARS MORE OR LESS,
IN U.S. CURRENCY (\$10,000.00) SEIZED FROM
ERIC R. BRAHMS ON NOVEMBER 17, 2011;**

**EIGHT HUNDRED SEVENTY THREE THOUSAND
FOUR HUNDRED SEVENTY NINE DOLLARS,
MORE OR LESS, IN U.S. CURRENCY (\$873,479.00)
SEIZED FROM IRWIN GUTMAN ON NOVEMBER
17, 2011; AND**

**EIGHT THOUSAND TWO HUNDRED DOLLARS,
MORE OR LESS, IN UNITED STATES CURRENCY
(\$8,200.00) IN U.S. CURRENCY SEIZED FROM
ELLE CHONG ROZAN ON NOVEMBER 17, 2011;**

Defendants In Rem.

-----X

Clamant, Gael Gordon, by and through her attorney, David Segal, Esq., alleges,
upon information and belief, as follows:

*Ron Martin
Legal Assistant*

1. Denies each and every allegation set forth in paragraphs of the verified complaint numbered "8", "9", "10", "11", and "12".
2. Denies the allegations set forth in paragraph of the verified complaint numbered "13" except admits that a State search warrant was executed at a Manhattan Mini Storage Unit, in the County of New York and that \$289.800.00 in US currency was seized.
3. Denies the allegations set forth in paragraph of the verified complaint numbered "14" except admits that \$2,851.51 and \$350.00 were seized at Luis Damian Jacas' residence and that 288 bottles of wine were seized from a unit at Wine Care Storage LLC.
4. Denies knowledge or information sufficient to form a belief as to the allegations contained in paragraphs "15", "16", "17", "18", "19", "20" and "21".
5. Denies that the In Rem properties in paragraphs "13" and "14" are derived from proceeds traceable to violations of 18 U.S.C. 1029.

FIRST AFFIRMATIVE DEFENSE

The Court lacks subject matter jurisdiction.

SECOND AFFIRMATIVE DEFENSE

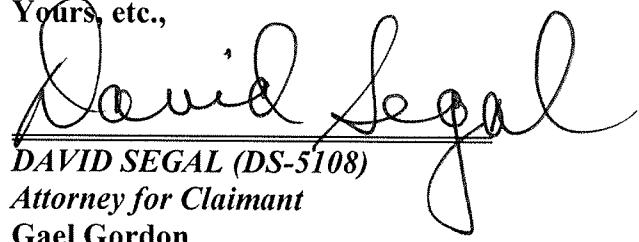
The venue for this action belongs in the Southern District of New York.

WHEREFORE, claimant requests that the verified complaint be dismissed and for such other and further relief as this Court deems just and proper.

Dated: New York, New York

June 18, 2012

Yours, etc.,


DAVID SEGAL (DS-5108)

Attorney for Claimant

Gael Gordon

30 Vesey Street, Suite 900

New York, New York 10007

Tel. No.: (212) 406-9200

VERIFICATION

Gael Gordon, being duly sworn deposes, says, and verifies:

I have read the Verified Answer and know the contents thereof. That the matters contained in the Answer are true based upon my personal knowledge.

I declare under penalty of perjury that the Answer is true and correct to the best of my knowledge, information and belief.

Dated: New York, New York 0
June 18, 2012


GAEL GORDON

Docket No.: **12-CV-2173(SJ)**

Year:

RJI No.:

Hon:

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

TWO HUNDRED EIGHTY-NINE THOUSAND
EIGHT HUNDRED DOLLARS, MORE OR LESS,
IN U.S. CURRENT (\$289,800.00) SEIZED FROM
LUIS DAMIAN JACAS ON NOVEMBER 17, 2011;
et al,

Defendants In Rem.

VERIFIED ANSWER

DAVID SEGAL

Attorney for Claimant Gael Gordon
Office & Post Office Address, Telephone
30 VESEY STREET
NEW YORK, N.Y. 10007
(212) 406-9200

To:

Signature (Rule 130-1.1-a)

Print name beneath

Attorney(s) for

Service of a copy of the within
Dated, _____

is hereby admitted.

Attorney(s) for

Please take notice

1 NOTICE OF ENTRY

that the within is a (certified) true copy of a
duly entered in the office of the clerk of the within names court on

1 NOTICE OF SETLEMENT

that an order of which the within is a true copy will be presented for settlement to the HON.
one of the judges of the within names court, at
on

Yours, etc.

DAVID SEGAL

Attorney for Claimant Gael Gordon
Office & Post Office Address
30 VESEY STREET
NEW YORK, NY 10007

To:

Attorney(s) for: